

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING



FILED

4:07 pm, 7/19/19

U.S. Magistrate Judge

CLOUD PEAK ENERGY, INC.; NATIONAL)
MINING ASSOCIATION; and WYOMING)
MINING ASSOCIATION, *et al.*,)
)
Petitioners,)
)
v.)
)
UNITED STATES DEPARTMENT OF THE)
INTERIOR, *et al.*,)
)
Respondents.)

Case No. 19-cv-120-S;
Related Case Nos. 19-cv-121-S
and 19-cv-126-S

ORDER GRANTING MOTION FOR CONSOLIDATION PURSUANT TO RULE
42(a) OF THE FEDERAL RULES OF CIVIL PROCEDURE

This matter is before the Court upon the motion filed by Petitioners Cloud Peak Energy, Inc., National Mining Association, and Wyoming Mining Association (Doc. 21 in Case No. 19-cv-120); American Petroleum Institute (Doc. 13 in Case No. 19-cv-121); and Tri-State Generation and Transmission Association, Inc., Basin Electric Power Cooperative, and Western Fuels-Wyoming, Inc. (Doc. 10 in Case No. 19-cv-126), requesting consolidation of these related cases pursuant to Rule 42(a) of the Federal Rules of Civil Procedure.

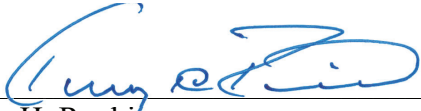
The Court finds that the three related cases involve common questions of law and fact and consolidation is in the interest of judicial efficiency and economy. Further, no objections to consolidation have been raised. Accordingly, the Court GRANTS the Petitioners' Motion for Consolidation.

IT IS THEREFORE ORDERED *Cloud Peak Energy et al. v. United States Department of the Interior et al.* (Case No. 19-cv-120) (Dist. Wyo. filed June 12, 2019), and *American Petroleum Institute v. United States Department of the Interior et al.* (Case No. 19-cv-121) (Dist.

Wyo. filed June 13, 2019), and *Tri-State Generation and Transmission Association, Inc., et al v. United States Department of the Interior et al.* (Case No. 19-cv-126) (Dist. Wyo. filed June 14, 2019), shall be consolidated pursuant to Rule 42(a) of the Federal Rules of Civil Procedure.

IT IS FURTHER ORDERED the consolidated case shall be *Case No. 19-cv-120*; and no further pleadings shall be filed in *Case No. 19-cv-121* or *Case No. 19-cv-126*. Any further pleadings received by the Clerk of Court for *Case No. 19-cv-121* and *Case No. 19-cv-126* shall be filed in *Case No. 19-cv-120*.

Dated this 19th day of July, 2019.



Kelly H. Rankin
U.S. Magistrate Judge